

**City of Somerville, Massachusetts  
Matters of Business of the Board of Aldermen**

**REGULAR MEETING AGENDA**

September 20, 2007, 7:00 PM  
Aldermanic Chambers  
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**OPENING OF THE MEETING**

1. Roll Call Call of the Roll.
2. Minutes Approval of the minutes of the Regular Meeting of July 26, 2007.

**CITATIONS**

3. Citation By Ald. Gewirtz and the Entire Board, Commending Lisa Brukilacchio on a career spent promoting civic engagement, environmental justice and community collaborations.
4. Citation By Ald. Pero and Mayor Curtatone, Congratulating Jean Marinello Dembkoski on the happy occasion of her 60<sup>th</sup> birthday.

**PUBLIC HEARINGS**

5. Grant of Location Verizon for a Grant of Location to install 8 feet of conduit at 70-80 Webster Ave.
6. Grant of Location RCN-BecoCom for a Grant of Location to install 8 feet of conduit at 70-80 Webster Ave.
7. Grant of Location Comcast for a Grant of Location to install 5 feet of conduit at 70-80 Webster Ave.
8. Grant of Location NStar Electric for a Grant of Location to install 70 feet of conduit at Broadway.
9. Grant of Location Nstar Electric for a Grant of Location to install 64 feet of conduit at 167 Holland St.
10. Extended Retail Hrs Circuit City Stores Inc. for an Extended Retail Hours Permit, 65 Mystic Ave., Sept.24 9PM - Sept. 25 2AM only.

**ORDERS, ORDINANCES, RESOLUTIONS  
AND MOTIONS OF MEMBERS**

11. Order By Ald. Trane, That the Commissioner of Public Works repair the sidewalk at 6 Whitman St.
12. Order By Ald. Trane, That the Commissioner of Public Works trim the tree at 6 Whitman St.
13. Order By Ald. Trane, That the Commissioner of Public Works immediately contact NStar to repair the streetlight at 52-54 Gorham St. that has been out for over a month and has been reported to 311 and NStar multiple times.
14. Order By Ald. Trane, That the Commissioner of Public Works have the storm drain at 37 Gorham St. cleaned.
15. Order By Ald. Trane, That the Commissioner of Public Works work with NStar to install enhanced street lighting on Endicott Ave.
16. Order By Ald. Trane, That the Commissioner of Public Works survey Woods Ave. for locations for multiple tree plantings.
17. Resolution By Ald. Trane and the Entire Board, That this Board extends its thanks to the Housing Authority and Director Joseph Macaluso for working with the Ward 7 Alderman to arrange that the highest possible standards mandated by law are being adopted for the temporary relocation of the residents of Capen Court during the construction of their new housing facility.
18. Order By Ald. Taylor, That the City Solicitor prepare a Home Rule Petition to reduce the speed limit to 25 MPH citywide.
19. Resolution By Ald. Taylor, That this Board requests that the Administration provide an update on the status of the Resolution to add a half-time Animal Control Officer.
20. Order By Ald. Taylor, That the Commissioner of Public Works address the low curbing problem at 58 Central St.
21. Order By Ald. Taylor, That the Commissioner of Public Works place a decorative barrel at the bus stop at Central and Avon Sts.
22. Order By Ald. Taylor, That the Commissioner of Public Works evaluate the tree at 34 Columbus Ave. for the raised sidewalk and damage to the residence, and make arrangements for corrective action.
23. Order By Ald. Taylor, That the Commissioner of Public Works contact the appropriate utility companies to remove the double pole at Walnut and Munroe Sts.

24. Order By Ald. Taylor, That the Director of SPCD address the trash build up and disposal problems at 10-12 Prescott St.
25. Order By Ald. Connolly, That the Commissioner of Public Works repair the roadway trenches on College Ave. between Winter St. and Winslow Ave. as they have caused excessive noise and vibration for the residents of Ciampa Manor.
26. Order By Ald. Connolly, That the Director of SPCD inspect 52 Bay State Ave. for any and all zoning or landscape violations, particularly the proper use of a driveway.
27. Resolution By Ald. Connolly, That this Board observes a moment of silence this evening in memory of the late James 'Buddy' O'Meara and the late Anna M. Michitson.
28. Order By Ald. Connolly, That the Commissioner of Public Works advise this Board of the work completed log for all trees (by Ward) scheduled to be removed citywide this year.
29. Order By Ald. Connolly and Taylor, That the Commissioner of Public Works repair the broken sidewalk panels opposite 18-22 Tower St. on the hospital side.
30. Order By Ald. Connolly and Taylor, That the Commissioner of Public Works repair the depressed road surface at 58 Central St.
31. Order By Ald. Heuston, That the Director of SPCD direct the Planning and Inspectional Services staffs to review with the DPW all projects on Somerville Ave., so that construction and demolition activities are coordinated with the Somerville Ave. reconstruction project for its duration.
32. Order By Ald. Heuston, That the Director of Traffic and Parking paint the crosswalk on Webster Ave. at the parking garage.
33. Order By Ald. Heuston, That the Director of Traffic and Parking replace the street sign at Beacon St. and Concord Ave.
34. Order By Ald. Heuston, That the Director of SPCD inspect 9-11 Houghton St. for any and all health code violations re: the storage of trash, and inform the property owner and tenants when that trash should be put out for pickup.
35. Order By Ald. Heuston, That the Director of SPCD and the Chief of Police monitor 12-14 Hawkins St. for vagrants.

36. Order By Ald. Gewirtz, That the Commissioner of Public Works report to the Ward 6 Alderman the timeline for planting new trees on Burnside Ave., and explain, if there was a gas leak there, what has been done to curb the situation and hold the gas company responsible.
37. Order By Ald. Gewirtz, That the Commissioner of Public Works place a trash barrel across the street from 99 Dover St., near the public parking lot by the western corner.
38. Order By Ald. Gewirtz, That the Director of Traffic and Parking repair the traffic lights that are out at the Davis Sq. intersection, repair the walk signal crossing Highland Ave. that skips five seconds, and repair the walk signal crossing from Store 24 to the College Ave. T station.
39. Order By Ald. Gewirtz, That Director of SPCD and the Commissioner of Public Works contact the MBTA to request complete replacement of the retaining wall along the bike path near Thorndike and Kingston Sts.
40. Order By Ald. Gewirtz, That the Commissioner of Public Works, in coordination with the Bike and Pedestrian Coordinator, place a bike rack at the end of the bike path, on the corner by Cedar St., so bikers can lock their bikes safely.
41. Order By Ald. Gewirtz, That the Chief of Police order a directed patrol to drive on the bike path periodically at night to ensure the safety of path users.
42. Resolution By Ald. Gewirtz, That this Board requests that the Administration and the Director of Traffic and Parking create a plan to inform new residents of traffic and parking policies and give them a 3-day window to park in front of their new homes before ticketing cars on September 1st.
43. Order By Ald. Gewirtz, That the Commissioner of Public Works place a bench on Highland Ave. by the bus stop at the new cupcake store.
44. Order By Ald. Gewirtz, That the Director of Traffic and Parking install a SLOW - CHILDREN sign on Kidder Ave. right before the blind spot where the street becomes a hill.
45. Order By Ald. Gewirtz, That the Commissioner of Public Works initiate a policy whereby any time a healthy tree is to be removed on a city street, the neighborhood is duly notified with flyers alerting them to the tree removal hearing.
46. Order By Ald. Gewirtz, That the Commissioner of Public Works repair the low hanging utility wire at 11 Hall Ave.

47.     Order       By Ald. Gewirtz, That the Commissioner of Public Works number the poles along the bike path so they may be easily identified when lights go out or there are other issues.
48.     Resolution By Ald. Gewirtz, Sullivan and White, That this Board expresses its dissatisfaction with Emerald Development and its parent, Dakota Partners, for their refusal to scale down their development at 343-349 Summer St., and that this Board requests that Emerald Development provide copies of the traffic, environmental and shadow studies indicating the impact of the development on the neighbors.
49.     Order       By Ald. White, That the Director of SPCD appear before the Committee on Housing and Community Development to discuss the impact of the decision by the FTA that the proposed Orange Line station at Assembly Sq. does not qualify for the "Very Small Starts" Program.
50.     Order       By Ald. White and Sullivan, That the City Clerk contact the FAA to follow up on this Board's July 26 Resolution asking them to send a representative to appear before this Board to address concerns over increased air traffic and to discuss their current study on how to reduce noise impacts from aircraft overflights to and from Logan Airport.
51.     Order       By Ald. White and Sullivan, That the Director of Public Health appear before the Committee on Public Health and Safety to discuss the current study of the health impacts of air pollutants from air traffic on communities surrounding Logan Airport, including increased cancer rates, and ways to insure that the interests of residents are included.
52.     Order       By Ald. Desmond, Heuston and Gewirtz, That the City Solicitor draft a Home Rule Petition allowing this Board, upon a 2/3 majority vote, one opportunity to review Zoning Board decisions for new, false, or misleading information prior to a building permit being issued and authorize them to send that case back to the ZBA for a timely review.
53.     Order       By Ald. Desmond and Heuston, That the Director of Traffic and Parking explain how a neighborhood can nullify their previous decision to designate their street as Permit Parking, and explain how that criteria was decided upon.
54.     Ordinance By Ald. Desmond, Heuston, Taylor and Pero, Amending the first sentence of paragraph five in Sec 2-309.5 to end, ". . . shall be named by the commission, except that no name shall be given to the city hall or the high school."; and further amending Sec 2-309.5 by inserting the following sentence after the first sentence of paragraph five; "The concourse shall be named Anthony Fedele Way."

55. Order By Ald. Desmond, Heuston, Taylor, Trane and Gewirtz, That the Director of SPCD and the City Solicitor research all projects developed by Emerald Development or any subsidiary, and compile a list of all violations of state and local building codes, city ordinances, or building permit conditions they have been cited for by the City, as well as any and all complaints that have been filed against them.
56. Order By Ald. Desmond, Heuston, Taylor and Gewirtz, That the Director of SPCD and the City Solicitor forward a copy of all plans and documents pertaining to the proposed development of 343-349 Summer St. to the State Fire Marshall for an opinion on their legality.
57. Order By Ald. O'Donovan, That the Chief of Police conduct speed traps on Albion St. between Lowell and Cedar Sts. at various times.
58. Order By Ald. O'Donovan, That the Director of Traffic and Parking place additional traffic calming devices to slow vehicles on Murdock St., and work in conjunction with the City Engineer to consider a sidewalk on Murdock St.
59. Order By Ald. O'Donovan, That the Commissioner of Public Works St.-sweep Murdock St. on a weekly basis, similar to the surrounding streets.
60. Resolution By Ald. O'Donovan, That this Board requests that the Administration, through the City Solicitor, draft a home rule petition allowing for a 30% senior discount on water and sewer bills.
61. Order By Ald. O'Donovan, That the Clerk of Committees send a communication to NStar requesting that its tree trimming contractor appear at the next meeting of the Committee on Licenses and Permits.
62. Order By Ald. O'Donovan, That the Chief of Police place speed boards on both sections of Rogers Ave.
63. Resolution By Ald. O'Donovan, That this Board requests that the Administration contact the Ward 5 Alderman to discuss the redevelopment of the Magoun Sq. TIP project.
64. Order By Ald. O'Donovan, That the Director of SPCD coordinate a neighborhood meeting with the Ward 5 Alderman re: the re-development of Albion Park.
65. Order By Ald. O'Donovan, That the Commissioner of Public Works remove the tree at 9 Boston Ave.

- 66.     Order       By Ald. O'Donovan, That the Director of Traffic and Parking and the Chief Fire Engineer inspect parking at the lot at 99 Albion St., before, during and after church services between 8-11 PM nightly and report back to this Board.
  
- 67.     Order       By Ald. O'Donovan, That the Chief of Police order nightly directed patrols at Albion and Lowell Sts., 10 PM-midnight.
  
- 68.     Order       By Ald. O'Donovan, That the Chief of Police order nightly directed patrols on the community path starting at Cedar St.
  
- 69.     Order       By Ald. O'Donovan, That the Director of SPCD dispatch the Neighborhood Inspection Team to 117 and 137 Albion St. to inspect for code violations and a potential illegal livery/taxi business.
  
- 70.     Order       By Ald. O'Donovan, That the Chief of Police attend the next meeting of the Committee on Public Health and Safety to discuss issues on Albion St.
  
- 71.     Resolution By Ald. O'Donovan, That this Board requests that the Administration place call boxes on the community path to improve security.
  
- 72.     Order       By Ald. O'Donovan, That the Director of Traffic and Parking place at least one cross walk across Medford St. between Trull and Central Sts. to alleviate current unsafe crossing conditions.
  
- 73.     Order       By Ald. O'Donovan, That the Chief Fire Engineer appear before the Committee on Public Health and Safety to discuss his study of all potential fire lanes in the city.
  
- 74.     Order       By Ald. O'Donovan, That the Commissioner of Public Works remove the two short railroad tracks across Cedar St., and fill these sections with hot top to prevent the constant rattling caused by vehicles crossing the tracks.

#### **UNFINISHED BUSINESS**

None

#### **REPORTS OF COMMITTEES**

- 75.     Committee Report of the Committee on Public Health and Public Safety, Aug. 23.
  
- 76.     Committee Report of the Committee on Capital Planning, Aug. 23.  
Report

- 77. Committee Report of the Committee on Legislative Matters, Sept. 5.  
Report
- 78. Committee Report of the Committee of the Whole on Legislative  
Report Matters, Sept. 18.
- 79. Committee Report of the Committee on Land Use, Sept.5.  
Report
- 80. Committee Report of the Committee on Land Use, Sept. 10.  
Report
- 81. Committee Report of the Committee on Licenses and Permits, Sept. 10.  
Report
- 82. Committee Report of the Committee on Senior Services, Sept. 19.  
Report

#### **COMMUNICATIONS OF THE MAYOR**

- 83. Mayor's Request Requesting approval of an amendment to the Code of Ordinances to modify the command structure of the Police Dept. by creating two Deputy Chief positions.
- 84. Mayor's Request Requesting approval of Home Rule Petition to exempt the Deputy Chief position in the Police Dept. from the provisions of MGL c. 31, civil service.
- 85. Mayor's Request Requesting the acceptance of MGL c. 59 s. 59A, and the approval of an amendment to the Code of Ordinances, all to encourage the environmental cleanup of Brownfields.
- 86. Mayor's Request Requesting approval to permanently rededicate for park use in perpetuity, the land known as Central Hill Memorial Park.
- 87. Mayor's Request Requesting approval of an application for a grant of \$495,000 for SPCD to renovate Central Hill Park.
- 88. Mayor's Request Requesting approval for an appropriation of \$785,000 for the renovation of Hodgkins Park and Ballfield and authorization for the Treasurer to issue a bond.
- 89. Mayor's Request Requesting approval for an appropriation of \$440,000 for the purchase of Fire Dept. equipment and authorization for the Treasurer to issue a bond.
- 90. Mayor's Request Requesting approval for an appropriation of \$395,000 for the renovation of Albion Park and authorization for the Treasurer to issue a bond.



91. Mayor's Request Requesting approval for an appropriation of \$395,000 for the renovation of Grimmons park and authorization for the Treasurer to issue a bond.
92. Mayor's Request Requesting approval to discontinue the Powderhouse Community School Renovation Project and appropriate \$488,954 in unused bond proceeds for repairs to public buildings under FY08 Capital Investment Plan.
93. Mayor's Request Requesting approval for a supplemental appropriation of \$18,760 to the School Athletic Acct. to purchase athletic equipment.
94. Mayor's Request Requesting approval for the use of \$9,100 in available funds from the Recreation Dept. PS Acct. to establish a new position of Part-Time Youth Programming Coordinator.
95. Mayor's Request Requesting approval for the IT Dept. to pay a prior year invoice of \$17,260.75 for services rendered by NetTek.
96. Mayor's Request Requesting approval for the Personnel Dept. to pay a prior year invoice of \$235 for services rendered by Sargent & Associates.
97. Mayor's Request Requesting approval for the Recreation Dept. to pay a prior year invoice of \$94.36 for materials provided by ULine Inc.
98. Mayor's Request Requesting approval for the Fire Dept. to pay a prior year invoice of \$87 for services rendered by Somerville Auto Services.
99. Mayor's Request Requesting approval to expend a grant of \$437,752 from the State Office of Transportation to SPCD for the Union Sq. Roadway and Streetscape Improvement Project.
100. Mayor's Request Requesting approval to expend a grant of \$200,000 from the EPA Brownfields Cleanup fund to SPCD for remediation of the city-owned property at 112A Central St.
101. Mayor's Request Requesting approval to expend a grant of \$30,990 from the MA Cultural Council for Arts Council programming.
102. Mayor's Request Requesting approval to expend a grant of \$8,000 from Federal Realty Investment Trust to support youth activities.
103. Mayor's Request Requesting approval to expend a grant of \$7,246.63 from The MA DOR Underground Storage Tank Grant Program to the Office of Sustainability & Environment for removing or replacing underground storage tanks.

104. Mayor's Request Requesting approval to expend a grant of \$2,000 from the Linda F. Zucker Memorial Youth Fund for the Arts Council's Art in the Garden summer program.
105. Mayor's Request Requesting the appointment of the attached list of residents as eligible candidates to work at polling locations for upcoming state and local elections.
106. Mayor's Request Requesting the appointment of Frank Javier Valdes as a member of The Design Review Committee.
107. Mayor's Request Requesting the appointment of Julia McGuire as a member of the Commission on Energy Use and Climate Change.
108. Mayor's Request Requesting the appointment of Eric Becker as a member of the Commission on Energy Use and Climate Change.
109. Mayor's Request Requesting the re-appointment of Enid Kumin as a member of the Bicycle Committee.
110. Mayor's Request Requesting the re-appointment of Doris Schartel as a member of the Bicycle Committee.
111. Mayor's Request Requesting the re-appointment of Jing Dai as a member of the Bicycle Committee.
112. Mayor's Request Requesting the re-appointment of Ron Newman as a member of the Bicycle Committee.
113. Mayor's Request Requesting the re-appointment of Peter Coyle as a member of the Bicycle Committee.
114. Mayor's Request Requesting the re-appointment of James Gallagher as a member of the Bicycle Committee.
115. Mayor's Request Requesting the re-appointment of Alan Moore as a member of the Bicycle Committee.
116. Mayor's Request Requesting the appointment of Kellann Binari as a member of the Commission for Persons with Disabilities.
117. Mayor's Request Requesting the re-appointment of Humphrey J. Moynihan, III to the Board of Assessors.
118. Mayor's Comm. Conveying the veto of #181611, a new Garage License for Cambridge Rental dba Taylor Rental, 352 McGrath Hwy.
119. Mayor's Comm. Proclaiming Sept. 24, 2007 as "Family Day to Eat Dinner With Your Children".

- 120. Mayor's Comm. Proclaiming the month of September, 2007, as "Central American Independence Month".
- 121. Mayor's Comm. Proclaiming the month of September, 2007, as "National Save A Life Month".

### **COMMUNICATIONS OF CITY OFFICERS**

- 122. Officer's Comm. Chief of Police responding to various Board Orders.

### **NEW BUSINESS**

- 123. Public Occ Public Occupancy Permit, Save Our Somerville and the Lexington Park community Mural Project, Sept. 9, 3-6PM.
- 124. Public Occ Public Occupancy Permit, Youth Hockey Canning Drive, various locations, Sept. 15, 8-4PM (raindate Sept. 27).
- 125. Public Occ Public Occupancy Permit, Chandler St. Block Party, Sept. 15, 4-7PM.
- 126. Public Occ Public Occupancy Permit, Francesca Ave. Block Party, Sept. 16, 2-6PM (raindate Sept. 29).
- 127. Public Occ Public Occupancy Permit, MA Organization For Addiction Recovery 3rd Annual New England Ride for Recovery, Concourse, Sept. 16, 8:30-11:30AM.
- 128. Public Occ Public Occupancy Permit, High School Girls Soccer Car Wash, Concourse, Sept. 22, 11-3PM (raindate Sept. 29).
- 129. Public Occ Public Occupancy Permit, Quinn-Carter Wedding, Prospect Hill Park, Sept. 22, 3-4PM.
- 130. Public Occ Public Occupancy Permit, Fairmount Ave. Block Party, Sept. 23, Noon-6PM.
- 131. Public Occ Public Occupancy Permit, Groundwork Somerville Local Roots Food and Music Festival, Community Growing Center, Sept. 23, 6:30-9:30PM.
- 132. Public Occ Public Occupancy Permit, Allied Veterans Council Support the Troops Rally, Davis Sq. Statue Park, Sept. 29, 10-2PM.
- 133. Public Occ Public Occupancy Permit, Openair Circus Community Yard Sale, Hodgkins Park, Sept. 29, 2-6PM (raindate Sept. 30).
- 134. Pubic Occ Public Occupancy Permit, Highland Rd. Block Party, between Morrison & Kidder Ave., Sept. 30., 1-7PM.

135.    Public Occ   Public Occupancy Permit, Commission for Women  
Candlelight Vigil, Davis Sq., Oct. 3, 5-8:30PM (raindate  
Oct. 4).
136.    Public Occ   Public Occupancy Permit, Honk Festival Music  
Performance, Davis Sq., Oct. 6, Noon-7PM, Parade from  
Dilboy Lot to Mass Ave., Oct. 7, Noon-1PM.
137.    Public Occ   Public Occupancy Permit, Redbones Honkfest Block Party,  
Chester St. to Herbert St. Intersection, Oct. 6, Noon-4PM.
138.    Public Occ   Public Occupancy Permit, YMCA Swim Team Canning  
Drive, various locations, Oct. 20 & Nov. 17 (raindate Oct.  
27).
139.    Drainlayer   New Drain Layer's License, D & D Enterprises Inc.
140.    Garage       2006 Renewal of Garage License, Gasper Ostuni, 195  
Highland Ave., 12 autos.
141.    Garage       New Garage License, Pearl Street Auto Sales Inc., 56  
Bonair St., 8 autos.
142.    Garage       Renewal of Garage License, Inner Belt Industrial Center  
Realty Trust, 21 Third Ave., 76 autos.
143.    Garage       Renewal of Garage License, Auto Express, 712 Mystic  
Ave., 3 autos inside and 7 outside.
144.    Garage       Renewal of Garage License, Boston Best Cars Auto Sales  
Inc., 266 Beacon St., 4 autos.
145.    Garage       Renewal of Garage License, Plug 'N' Spanner Garage, 4  
Union Sq., 8 autos.
146.    Garage       Renewal of Garage License, County Auto Repair Inc., 103  
Washington St., 4 autos.
147.    Garage       Renewal of Garage License, General Glass & Mirror Corp.,  
231 Lowell St., 10 autos.
148.    Garage       Renewal of Garage License, Pearl Street Auto, 182 Pearl  
St., 3 autos.
149.    Flammable   Renewal of Flammable License, General Glass & Mirror  
Corp., 231 Lowell St., 1,000 gallons.
150.    Flammable   Renewal of Flammable License, Pearl St. Auto Sales, 182  
Pearl St., 17,000 gallons.

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| 151. | Outdoor Seating | New Outdoor Seating License, Cibobella Inc. dba SAGRA, 400 Highland Ave., Sidewalk sign, 6 tables and 12 chairs. |
| 152. | Outdoor Seating | New Outdoor Seating License, Union Square Acupuncture, 21 Bow St., 1 Sandwich Board.                             |
| 153. | Outdoor Seating | New Outdoor Seating License, Taipei Tokyo Café, 7 Holland St., 3 tables & 6 chairs.                              |
| 154. | Sign            | New Sign/Awning Permit, Robert Rainer, 1 Summer St. Suite One, Sign.   |
| 155. | Sign            | New Sign/Awning Permit, Chipotle Mexican Grill of Colorado LLC dba Chipotle, 270-276 Elm St., Sign.              |
| 156. | Sign            | New Sign/Awning Permit, Priority Mortgage and R.E., 205 Washington St., Sign.                                    |
| 157. | Sign            | New Sign/Awning Permit, I-Café, 1133B Broadway, Awning.  |
| 158. | Lodging         | Renewal of Lodging House License, Tufts Chapter Delta Upsilon, 114 Professors Row.                               |
| 159. | Lodging         | Renewal of Lodging House License, ATO Associates Inc., 134 Professors Row.                                       |
| 160. | Comm.           | Charles J. Chisholm submitting comments re: Proposed Dakota Enterprises Condo Development project for Summer St. |

**LATE ITEMS**